| UNITED STATES DISTRICT COURT | EASTERN DISTRICT OF TEXAS |
|------------------------------|--------------------------------|
| KEVIN JAMES KOHUTE, | |
| Plaintiff, | 8 8 8 |
| versus | § CIVIL ACTION NO. 1:24-CV-114 |
| OSHA, | 8 8 8 |
| Defendant. | § § |

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Kevin James Kohute, proceeding *pro se*, filed this action for violations of his civil rights under 42 U.S.C. § 1983. The court previously referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of the court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the petition be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b) based on plaintiff's failure to provide a current address. The copy of the Report and Recommendation sent to plaintiff was returned to the court as undeliverable. To date, the parties have not filed objections to the Report and Recommendation.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law set forth in the Report are correct.

Accordingly, the Report and Recommendation (#4) is **ADOPTED**. A final judgment will be entered dismissing the action.

SIGNED at Beaumont, Texas, this 28th day of May, 2024.

MARCIA A. CRONE UNITED STATES DISTRICT JUDGE

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